

**SEED**

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February 24, 2004

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**Facsimile Transmission**19 pages including this page

**TO: Examiner LoAn H. Thanh**  
Fax No.: 703-872-9306  
Phone No.: 703-305-0038

**RE: USAN: 10/039,240****Our Reference: 170134.401**

☒ Urgent    ☒ For Review    ☒ Please Confirm Receipt    ☐ Please Reply ASAP

**Comments:**

Please find attached the following:  
Transmittal Form; Information Disclosure Statement;  
Form PTO-1449; Cited Reference (1)

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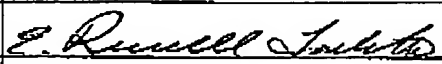
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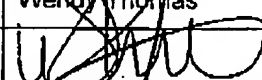
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<b>TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)	Application Number	10/039,240
	Filing Date	January 4, 2002
	First Named Inventor	Vincent E. Bryan et al.
	Art Unit	3763
	Examiner Name	LoAn T. Thanh
	Attorney Docket No.	170134.401

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input checked="" type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Fax Cover Sheet _____ _____ _____
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Individual Name	E. Russell Tarleton Reg. No. 31,800	Customer Number 00500
Signature		
Date	February 24, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that on the date specified below, this correspondence is being facsimile transmitted to Examiner LoAn H. Thanh at 703-872-9306.		
Typed or printed name	Wendy Thomas	
Signature		Date: February 24, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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I hereby certify that on the date specified below, this correspondence is being facsimiled to the Examiner LoAn H. Thanh at 703-872-9306.

February 24, 2004

Date

Wendy Thomas

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Vincent E. Bryan et al.  
Application No. : 10/039,240  
Filed : January 4, 2002  
For : SPINAL NEEDLE SYSTEM

Art Unit : 3763  
Docket No. : 170134.401  
Date : February 24, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

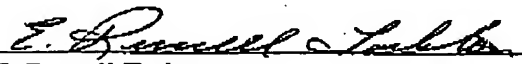
Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Form PTO-1449 (copies of the cited references are enclosed). As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Applicants believe this Information Disclosure Statement has been timely filed, however, the Director is authorized to charge any fee due by way of this Information Disclosure Statement to our Deposit Account No. 19-1090.

Respectfully submitted,  
Seed Intellectual Property Law Group PLLC

  
E. Russell Tarleton  
Registration No. 31,800

ERT:wt

Enclosures:

Postcard  
Form PTO-1449  
Cited References (1)

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